

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of: Birkhoelzer et al.

Serial No.: 09/992,974

For: "MEDICAL SYSTEM ARCHITECTURE WITH A WORKSTATION AND A CALL SYSTEM"

Filed: November 19, 2001

Group Art Unit: 2152 Confirmation No. 7671 Examiner: Ramsey Refai

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

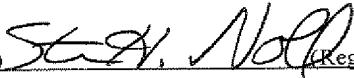
Applicant or patent owner hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 31, 2007, of the Examiner rejecting claims 1-22 for the second time.

The item(s) checked below are appropriate:

1. An extension of time to respond to the final rejection was obtained on January 17, 2006 for one month
2. An extension of time to respond to the rejection dated _____ for _____ month(s) so that the period is extended from _____ to _____ is hereby requested under 37 CFR 1.136.
3. Appeal fee amount: (see attached credit request) \$250.00 \$500.00
 Extension of Time Fee _____

a. Enclosed
b. Charge to Deposit Account No. 501519 (One additional copy of this Notice enclosed herewith).

Any deficiency or overpayment should be charged or credited to Deposit Account No. 501519. A duplicate copy of this sheet is enclosed.

Signature (37 CFR 1.191(b))  (Reg. No. 28,982)

Post Office Address (to which
Correspondence is to be sent)

Schiff, Hardin LLP
Patent Department
6600 Sears Tower
Chicago, Illinois 60606-6473
CUSTOMER NUMBER 26574
Telephone: (312) 258-5790

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPELLANTS: Birkhoelzer et al. CONFIRMATION NO. 7671
SERIAL NO.: 09/992,974 GROUP ART UNIT: 2152
FILED: November 19, 2001 EXAMINER: Ramsey Rafai
TITLE: "MEDICAL SYSTEM ARCHITECTURE WITH A
WORKSTATION AND A CALL SYSTEM"

MAIL STOP APPEAL BRIEF-PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST TO APPLY PREVIOUS-PAID FEES ACCOMPANYING PREVIOUSLY-FILED NOTICE OF APPEAL AND APPEAL BRIEF TO THE NOTICE OF APPEAL AND APPEAL BRIEF FILED HEREWITH

SIR:

During previous prosecution of the present application, Appellants filed a Notice of Appeal on February 14, 2006, which was accompanied by a check for payment of the requisite fee in the amount of \$500.00. An Appeal Brief was previously filed on April 12, 2006, which was also accompanied by a check in the amount of \$500.00 for the requisite fee.

An RCE was thereafter filed, which resulted in another Notice of Appeal being filed on December 1, 2006, and an Appeal Brief being filed on January 30, 2007. Prosecution was thereafter reopened by the Examiner, which has now resulted in another Notice of Appeal and an Appeal Brief being filed simultaneously herewith.

The present appeal is a renewal of the original appeal, and therefore Appellants request that the previously-paid fee that accompanied the Notice of Appeal filed on February 14, 2006 be applied to the Notice of Appeal filed

simultaneously herewith, and also request that the previously-paid fee that was filed with the Appeal Brief on April 12, 2006 be applied to the Appeal Brief being filed simultaneously herewith.

Appellants see no reason why the present Request should not be granted, however, should this Request be denied, the Commissioner is authorized to charge Deposit Account No. 501519 for each of the above fees in the respective amounts of \$500.00, for a total of \$1,000.00. A duplicate copy of this sheet is attached.

Submitted by,

Stan A. Noll

(Reg. 28,982)

SCHIFF, HARDIN LLP

CUSTOMER NO. 26574

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233 South Wacker Drive

Chicago, Illinois 60606

Telephone: 312/258-5790

Attorneys for Appellants.

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simultaneously herewith, and also request that the previously-paid fee that was filed with the Appeal Brief on April 12, 2006 be applied to the Appeal Brief being filed simultaneously herewith.

Appellants see no reason why the present Request should not be granted, however, should this Request be denied, the Commissioner is authorized to charge Deposit Account No. 501519 for each of the above fees in the respective amounts of \$500.00, for a total of \$1,000.00. A duplicate copy of this sheet is attached.

Submitted by,

 (Reg. 28,982)

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